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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/029,872

06/29/1998

SYDNEY M PUGH

3477/116

6664

62644

7590

05/01/2009

MEDTRONIC

Attn: Noreen Johnson - IP Legal Department

2600 Sofamor Danek Drive

MEMPHIS, TN 38132

EXAMINER

PREBILIC, PAUL B

ART UNIT

PAPER NUMBER

3774

MAIL DATE

DELIVERY MODE

05/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09029872	6/29/98	PUGH ET AL.	3477/116

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EXAMINER

Paul B.. Prebilic

ART UNIT	PAPER
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3774	20090430
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Commissioner for Patents

The reply filed on September 25, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the response does not point out support for the amendments to claims 1, 50, and 55 as requested; see the "Conclusion" section of the June 25, 2008 Office action. Also, the Applicant did not provide a list of copending applications or at least an acknowledgement of this request made in the second paragraph of the "Conclusion" section of the previous Office action. Finally, the claim amendment was non-compliant with respect to Rule 121; see the attached form pertaining to this issue. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Paul B. Prebilic whose telephone number is (571) 272-4758. He can normally be reached on 6:30-5:00 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Isabella can be reached on 571-272-4749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Paul B. Prebilic/
Primary Examiner, Art Unit 3774